

**DRAFT 10-29-13.2**

**WYOMING GAME AND FISH COMMISSION**

**CHAPTER 34**

**DEPREDATION PREVENTION HUNTING SEASONS**

**Section 1. Authority.** This regulation is promulgated by authority of W.S. §23-1-302.

~~**Section 2. Regulation and Effective Date.** The Wyoming Game and Fish Commission hereby adopts the following regulation governing depredation prevention hunting seasons. This regulation shall remain in effect until modified or rescinded by the Commission.~~

**Section 32. Definitions.** For the purpose of this regulation definitions **Definitions** shall be as set forth in Title 23, Wyoming Statutes, Commission regulations, and the Commission also adopts the following definitions:

(a) "Depredation prevention hunting seasons" means hunting seasons for big game animals causing damage to land, growing cultivated crops, stored crops, seed crops, improvements or causing extraordinary damage to grass; hunting seasons for trophy game animals causing damage to livestock, and bees and/or honey and hives; or, hunting seasons for big game animals for the purpose of disease management.

(b) "Harvest year" means twelve (12) consecutive months beginning November 1 of each year through October 31 of the following year.

~~**Section 4. Hunting Seasons Established.** There may be depredation prevention hunting seasons during the harvest year as established under Section 5 through Section 10 of this regulation.~~

**Section 53. Establishment of Areas.** The Chief Game Warden through his designee shall verify and determine the extent of alleged damage or disease management needs and shall, with the written consent of the District Wyoming Game and Fish Commissioner and the private landowner(s) involved, designate the area to be opened to hunting, the opening and closing dates of the hunt, the maximum number of licenses to be issued, the number, sex and species of big or trophy game animals to be taken and any applicable firearm and/or weapon type restrictions.

**Section 64. Supervision of Hunters.** Hunting shall be done under the supervision and/or direction of Department personnel and/or the cooperating landowner(s) or the landowner(s)'s agent(s). Department personnel shall accompany hunters when it is deemed necessary to accomplish the desired goals of the depredation prevention hunting season or when other factors require the presence of Department personnel with the hunter.

**Section 75. Application, Selection of Hunters and Priority List(s).**

(a) Applications shall be made on a form provided by the Department and submitted to the Department Regional Office(s) listed in this section where participation is desired. Applicants shall apply annually between July 15 and 5:00 p.m. October 31 to be included on priority lists. Applicants shall make separate application for each species.

Casper Regional Office . . . .

3030 Energy Lane, Suite 100, Casper, WY 82604

Cody Regional Office . . . .	2820 State Hwy 120, Cody, WY 82414
Green River Regional Office	351 Astle, Green River, WY 82935
<b><u>Jackson Regional Office . . .</u></b>	<b><u>P O Box 67, Jackson, WY 83001</u></b>
Lander Regional Office . . .	260 Buena Vista, Lander, WY 82520
Laramie Regional Office . .	528 South Adams, Laramie, WY 82070
Pinedale Regional Office . .	<b><u>P O</u></b> Box 850, Pinedale, WY 82941
Sheridan Regional Office . .	<b><u>P O</u></b> Box 6249, Sheridan, WY 82801

(i) Selection for ranking and name placement on depredation prevention priority lists shall be determined by random selection. The priority lists shall remain in effect for a twelve (12) month period beginning November 1 each year. However, if sufficient applications have not been received during the application period from which to recruit the desired number of hunters, applications shall be accepted by the Department on a first come, first served basis until sufficient numbers of applications exist from which to recruit the desired number of hunters.

(ii) When the Department determines a depredation prevention hunting season may be held, applicants on the priority list(s) shall be notified by telephone in the order of their priority ranking. Department personnel shall speak directly to the applicant during the notification call. A minimum of one attempt by telephone shall be made to contact and notify any individual applicant. If an individual on the depredation prevention hunting season priority list cannot be contacted, the next individual on the list shall be notified and those who could not be contacted shall retain their position on the list. An applicant who declines participation in a depredation prevention hunting season may have his/her name removed from the list. When applications are accepted on a first come, first served basis, hunters shall be allowed to participate in a depredation prevention hunting season on a first come, first served basis. Individuals who participate in a specific depredation prevention hunting season and who are unsuccessful may remain on the list; but, they shall not participate in another separate depredation prevention hunting season for the same species in the same wildlife administrative region in the same harvest year until all others on the priority list have had an opportunity to hunt. Any hunter who participates in a depredation prevention hunting season and who refuses to take an available animal as directed by Department personnel shall not be allowed to continue to participate in the hunt and the hunter's name shall be removed from the priority list.

(iii) In emergency situations, though sufficient numbers of applicants may exist on priority lists, a first come, first served basis of hunter selection shall be used. Emergency situations shall be determined by the Regional Wildlife Supervisor. The Regional Wildlife Supervisor shall determine if an emergency situation exists by taking into consideration such facts as, but not limited to the following: the amount of time needed by the potential hunter to travel to the location of the hunt, whether the hunter has special equipment, such as a snow machine, that may be needed in order to reach the location of the hunt, current weather conditions that may influence the distribution of wildlife to be harvested.

**Section 86. Licensing.** Depredation prevention hunting season licenses for big or trophy game animals shall be available to applicants who have been notified and agree to participate in a depredation prevention hunting season. A depredation prevention hunting season license and valid conservation stamp shall be obtained prior to participating in any hunt under this regulation. Depredation prevention hunting season licenses shall be issued on a calendar year basis for a specific depredation prevention hunting season.

**Section 97. Bag Limits.** The bag limit for any individual participating in a depredation prevention hunting season shall not exceed more than one big and/or trophy game animal of each species during any one harvest year. Any big or trophy game animal taken under this regulation shall be in addition to the bag limit established by ~~other Commission Regulations, in Chapter 2 General Hunting Regulations for deer and antelope, in Chapter 3 Black Bear Hunting Seasons for black bear and in Chapter 42 Mountain Lion Hunting Seasons for mountain lion. The maximum bag limit in the same calendar year for any one (1)~~

~~hunter under Chapter 2, General Hunting Regulations and this Chapter shall not exceed two (2) elk. Any~~ Any moose, sheep, mountain goat or grizzly bear license issued under this regulation shall be subject to statutory limitations as defined by W.S. §23-1-703(b)(c). Participation in any depredation prevention hunting season under this regulation shall not deny an individual the privilege of hunting in other seasons established by the Commission, except as otherwise provided by statute or regulation.

**Section 108. Mandatory Hunter Harvest Check.** When a depredation prevention hunting season is implemented in an effort to control disease, every person harvesting a big game animal may be required to have the harvested animal inspected by Department personnel. When a person purchases a license to participate in a depredation prevention hunting season under this section, the Department shall advise the person of the time and location where the harvested animal is to be brought for inspection. During the inspection, Department personnel may collect any biological samples deemed necessary by the Department.

**Section 119. General Regulations.** All Commission regulations and Wyoming statutes shall apply to the taking of big or trophy game animals during a depredation prevention hunting season unless specifically exempted by this regulation. The Department may restrict firearms ~~and~~ or weapon types for public safety concerns.

~~Section 12. Savings Clause. If any provision of this regulation shall be held to be illegal or unconstitutional, such a ruling shall not affect other provisions of this regulation which can be given effect without the illegal or unconstitutional provision; and, to this end, the provisions of this regulation shall be severable.~~

#### WYOMING GAME AND FISH COMMISSION

By: \_\_\_\_\_  
~~Doyle Dornier~~ Mike Healy, President

Dated: ~~December 5, 2002~~ January 22, 2014